

REMARKS

Reconsideration of the application in view of the following remarks is requested. Claims 31-50 are in this application. Claims 1-30 have been previously cancelled. Claims 31, 37-38, 46, and 50 have been amended.

The Examiner rejected claims 31-48 under 35 U.S.C. §102(b) as being anticipated by Duvvury et al. (U.S. Patent No. 5,493,133). For the reasons set forth below, applicant respectfully traverses this rejection.

Claim 31 recites, in part,

“an isolation region that contacts the semiconductor region;
“a well region of a second conductivity type that contacts the semiconductor region”

Claims 38 and 46 recite the same limitations.

In rejecting the claims, the Examiner pointed to p-substrate 42 shown in FIG. 2 of Duvvury as constituting the semiconductor material of claims 31, 38, and 46. In addition, the Examiner pointed to the field oxide region 46 located between regions 52 and 54 shown in FIG. 2 of Duvvury as constituting the isolation region of claims 31, 38, and 46, and n-well 44 as constituting the well region of claims 31, 38, and 46.

In the last response, applicant argued that the field oxide region 46 identified by the Examiner can not be read to be the isolation region of claims 31, 38, and 46 because the isolation region is not formed in the semiconductor material. As shown in FIG. 2, Duvvury teaches that the field oxide region 46 located between regions 52 and 54 (read to be the isolation region) is formed in n-well 44 (read to be the well region), not substrate 42 (read to be the semiconductor material) as required by prior claims 31, 38, and 46.

In response, the Examiner acknowledged that the isolation region 46 is formed in an n-well, but argued that since the n-well is formed in substrate 42 then the isolation region must also be formed in substrate 42. Applicant disagrees with the Examiner's interpretation of the claims. However, solely in an effort to further prosecution, applicant has amended the

claims to change the “formed in” phrase to “contacts,” and the “semiconductor material” phrase to “semiconductor region.”

Restating applicant’s last argument, the field oxide region 46 located between regions 52 and 54 shown in FIG. 2 of Duvvury can not be read to be the isolation region of claims 31, 38, and 46 because the isolation region does not contact the semiconductor region. As shown in FIG. 2, Duvvury teaches that the field oxide region 46 located between regions 52 and 54 (read to be the isolation region) contacts n-well 44 (read to be the well region), not substrate 42 (read to be the semiconductor region) as required by present claims 31, 38, and 46.

Thus, since the field oxide region 46 located between regions 52 and 54 can not be read to be the isolation region of the claims, claims 31, 38, and 46 are not anticipated by the Duvvury reference. In addition, since claims 32-37 depend either directly or indirectly from claim 31, claims 39-45 depend either directly or indirectly from claim 38, and claims 47-48 depend either directly or indirectly from claim 46, claims 32-37, 39-45, and 47-48 are not anticipated by Duvvury for the same reasons as claims 31, 38, and 46, respectively.

The Examiner also rejected claims 49-50 under 35 U.S.C. §103(a) as being unpatentable over Duvvury et al. in view of Monticelli (U.S. Patent No. 4,758,873). In rejecting the claims, the Examiner indicated that Duvvury teaches substantially the entire claimed structure as applied to claim 31 above, except connecting the ESD device to a differential amplifier.

As noted above, however, the Duvvury reference fails to teach or suggest an isolation region as required by claim 46. Thus, since claims 49-50 depend either directly or indirectly from claim 46, claims 49-50 are patentable over Duvvury in view of Monticelli for the same reasons as claim 46.

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Thus, for the foregoing reasons, it is submitted that all of the claims are in a condition for allowance. Therefore, the Examiner's early re-examination and reconsideration are respectively requested.

Respectfully submitted,

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